

## *St. Louis City Ordinance 62295*

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 31

INTRODUCED BY ALDERMAN JOANNE WAYNE , PHYLLIS YOUNG

An ordinance to amend Ordinance 57982, approved February 21, 1980, authorizing the Mayor and the Comptroller to enter into an amendment to a Lease Agreement dated December 19, 1980 with the City of St. Louis and Slay Bulk Terminals, Inc. by adding to the leasehold additional, contiguous land located at:

A tract of land east of the wharf line and described more particularly as follows:

Commencing at the intersection of the east right-of-way line of the flood control project and the north line of vacated Barton Street formerly 66 feet wide; thence south 70 degrees 02 minutes 55 seconds east on said north line of Barton 22.06 feet; thence south 19 degrees 57 minutes 05 seconds west 20 feet on a line perpendicular to said north line of Barton to a point on a line parallel to and 20 feet southerly of said north line Barton Street and being the true point of beginning; thence continuing south 19 degrees 57 minutes 05 seconds west on said perpendicular line 40 feet to a point in a line 60 feet southerly and parallel to said north line Barton Street; thence at an angle right of 90 degrees 148.00 feet south 70 degrees 02 minutes 55 seconds east along said parallel line to a point; thence at an angle right of 90 degrees north 19 degrees 57 minutes 05 seconds east 40 feet to a point in a line 20 feet southerly and parallel to said north line of Barton Street; thence at an angle of 90 degrees north 70 degrees 02 minutes 55 seconds west 148.00 feet along said parallel line to the true point of beginning and containing approximately 5,920 square feet.

and providing for increased rental for said land, and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

Section One. The Mayor and the Comptroller are hereby authorized and directed to enter into an amendment to a Lease Agreement dated December 19, 1980 with the City of St. Louis and Slay Bulk Terminals, Inc. by adding the following to paragraph 1 at its conclusion:

AREA III

A tract of land east of the wharf line and described more particularly as follows:

Commencing at the intersection of the east right-of-way line of the flood control project and the north line of vacated Barton Street formerly 66 feet wide; thence south 70 degrees 02 minutes 55 seconds east on said north line of Barton 22.06 feet; thence south 19 degrees 57 minutes 05 seconds west 20 feet on a line perpendicular to said north line of Barton to a point on a line parallel to and 20 feet southerly of said north line Barton Street and being the true point of beginning; thence continuing south 19 degrees 57 minutes 05 seconds west on said perpendicular line 40 feet to a point in a line 60 feet southerly and parallel to said north line Barton Street; thence at an angle right of 90 degrees 148.00 feet south 70 degrees 02 minutes 55 seconds east along said parallel line to a point; thence at an angle right of 90 degrees north 19 degrees 57 minutes 05 seconds east 40 feet to a point in a line 20 feet southerly and parallel to said north line of Barton Street; thence at an angle of 90 degrees north 70 degrees 02 minutes 55 seconds west 148.00 feet along said parallel line to the true point of beginning and containing approximately 5,920 square feet.

and by adding the following to paragraph 2 at its conclusion:

Lessee is to have and to hold AREA III until April 5, 2005.

and by adding the following to paragraph 3 at its conclusion:

#### FOR AREA III

For the rights and privileges herein granted, the Lessee agrees to pay the Lessor the following rental:

An annual rental of Six Hundred Twenty-One Dollars and Sixty Cents (\$621.60) payable at a rate of One Hundred Fifty-Five Dollars and Forty Cents (\$155.40) quarterly in advance.

The rents to be paid to the Lessor for the rights and privileges leased hereunder shall be subject to the following:

The base rate of \$0.0750 (current adjusted base rate \$0.105) per square foot of land and \$7.50 (current adjusted base rate \$10.50) per linear foot of mooring may be adjusted at five year intervals beginning January 1, 1994 upon recommendation of the Port Commission and approval of the Board of Public Service. No such recommendation may be made by the Port Commission

unless within 180 days before January 1, on which the adjusted rates are to become effective, the Port Commission shall conduct a public hearing with due notice to the public and to the users of City owned land and mooring rights. The maximum adjustment which can be recommended and approved shall be 25% of the base rates set out in the first sentence of this section. Each adjustment shall be added to the base rate plus any previous adjustments and the resultant rate shall be called the current adjusted base rate. If the recommended adjustment to the base rate by the Board of Public Service is in excess of 15%, the recommended raise of rate shall be approved by resolution of the Board of Aldermen. If the Board of Aldermen fails to act before the effective date of the rate, the rate then shall be automatically adjusted by 15%.

In all other respects the Lease Agreement shall remain unchanged.

IN WITNESS WHEREOF, we set out hands and seals the date first written above.

LESSEE:

SLAY BULK TERMINALS, INC.

By:\_\_\_\_\_

LESSOR:

CITY OF ST. LOUIS, MISSOURI

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Comptroller

\_\_\_\_\_  
Register

Approved as to form only:



Louis and shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
04/26/91	04/26/91	T&C		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
05/17/91			05/24/91	05/31/91
ORDINANCE	VETOED		VETO OVR	
62295				